

HON. THOMAS S. ZILLY

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

FAIR HOUSING CENTER OF
WASHINGTON,

Plaintiff,

v.

^E
BREIR-SCHEETZ PROPERTIES, LLC, a
Washington corporation; and FREDERICK
BREIER-SCHEETZ, an individual,

Defendants.

NO: 2:16-cv-00922 TSZ

**DECLARATION OF
FREDERICK SCHEETZ**

Frederick Scheetz states as follows:

1. I am over the age of eighteen years, am competent to testify about and have knowledge of the factual matters addressed below.
2. I am one of three owners and managers of Breier Scheetz Properties, LLC which owns the Granada Apartments located on Capitol Hill. The apartments comprise ninety-six units, of which

SCHEETZ DECLARATION
(2:16-cv-00922 TSZ)

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5900 48th Ave. South
Seattle, WA 98118
206.851.7700

Fifty-seven are 425# studios. Six are 560# studios. Thirty-three are one bedrooms.
 1 ~~sixty-three are studios and thirty-three are one bedroom.~~ The one bedroom apartments have housed
 2 families with children. ** and the 560# studios JBS*

3 3. The apartments have never had an occupancy policy that bars families with children from renting
 4 one bedroom units. Nor have I ever made discriminatory statements about children or families with
 5 children; adopted rules governing the use of common facilities that discriminate against children or
 6 families with children, or discouraged families with children from living in the Granada Apartments
 7 or enforced the occupancy policy only against families with children.

8 4. The building that houses the 96 units that make up the Granada Apartments has one electric
 9 meter, one water meter, and one gas meter for the entire building. Tenants at the Granada Apartments
 10 do not pay for water, electricity or gas separately as those items are included in the rent which does
 11 not vary month to month. The current billing system reflects the occupancy characteristics of the
 12 building and has generated no complaints from tenants. Elimination of the occupancy rule for the
 13 studio apartments would *necessarily* *JBS* change the composition of the population of persons who rent studio
 14 apartments, *regardless- whatever* *JBS* irrespective of the resulting percentages of single individuals, families with children, or
 15 other multi-person households who might occupy those units, *might be.* *JBS* I am aware that Seattle housing codes
 16 would allow as many as six persons to occupy some of the studio apartments at the Granada
 17 Apartments.

18 In order to ensure a fair system of billing for the use of utilities in the building, it would
 19 *for each unit. Such changes would be prohibitively costly.* *JBS* be necessary to install a new metering system. I do not have an estimate of the cost for doing so, but
 20 *a change of such magnitude could well necessitate* *JBS* the building was built in 1922 and the current single meter system for measuring the consumption of
 21 *a vacation of the building to achieve intended results* *JBS* utilities is reflective of the building's original single-meter system. The possibility that the Granada
 22 Apartments would have to accommodate up to six persons in some portion of its studio apartments
 23 would necessitate having to modify the current single meter system. Otherwise, the current pro rata
 24 system would allow studio units with, for example, two, up to as many as six, persons to free ride on
 25 ** or how it would be achieved.* *JBS*

1 the payments of units occupied by, for example, one person. In order to prevent that circumstance
2 from occurring it would be necessary to retrofit the building with 96 meters to measure individual unit
3 consumption of utilities.

4 6. The studio apartments have no separate closets for clothing and other personal items. However
5 there is some space in the area where a full size Murphy bed is stored. The livable space in the studio
6 apartment is approximately 11 feet wide and 15 feet long when the bed is stored. When deployed the
7 bed occupies space equal to a full size bed with the practical effect being insufficient space for another
8 bed.

9 7. The Granada Apartments ^{has JBS} have parking spaces for twenty cars. The spaces are limited to ^{JBS} some
10 tenants who occupy one bedroom apartments.

11 I declare under penalty of perjury under the laws of the United States of America and the State of
12 Washington that foregoing is true and correct.
13

14 Seattle March 27, 2017
15 Place and date signed

Frederick Scheetz
Frederick Scheetz